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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q78137

Werner BEISEL, et al.

Appln. No.: 10/697,108

Group Art Unit: 2643

Confirmation No.: 8426

Examiner: Not Assigned

Filed: October 31, 2003

For:

SIGNALING OF DEFECTS FOR HW SUPPORTED PROTECTION SWITCHING

INSIDE AN OPTICAL CROSS-CONNECTED SYSTEM

<u>UNDER 37 C.F.R. §§ 1.97 and 1.98</u>

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, along with a copy of the corresponding Communication from a Foreign Patent Office, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action

INFORMATION DISCLOSURE STATEMENT

U.S. Appln. No.: 10/697,108

on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

filing a request for continued examination (RCE) under §1.114, and therefore, no Statement

under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such

document constitutes prior art against the claims of the present application. Applicants do not

waive any right to take any action that would be appropriate to antedate or otherwise remove any

listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,

Registration No. 28,703

David J. Cushing

SUGHRUE MION, PLLC

Telephone: (202) 293-7060

Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER

Date: December 10, 2004

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MODIFIED PTO/SB/08 A & B (06-03) Complete if Known Form 1449 A & B/PTO

INFORMATION DISCLOSURE A PRADENT Substitute for Form 1449 A & B/PTO 10/697,108 Application Number Confirmation Number 8426 STATEMENT BY APPLICANT Filing Date October 31, 2003 First Named Inventor Werner BEISEL Art Unit 2643 (use as many sheets as necessary) **Examiner Name** Not Assigned Sheet Q78137 Attorney Docket Number

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Document Number		Dublication Date		
		Number	Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	
		US 5,390,164	Α	02/14/1995	Kremer	
		US				
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FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date	Name of Patentee or	
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)	MM-DD-YYYY	Applicant of Cited Document	Translation ⁶
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NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶		
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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